

**BOARD OF DIRECTORS REGULAR MEETING  
KEWADIN CASINOS CONVENTION CENTER  
SAULT STE. MARIE, MICHIGAN  
MINUTES  
AUGUST 1, 2023**

This meeting was opened at 5:00 p.m. by Chairman Austin Lowes.

Present: Kimberly Lee, Betty Freiheit, Shawn Borowicz, Robert McRorie, Lana Causley-Smith, Kimberly Hampton, Michael McKerchie, Tyler LaPlaunt, Bridgett Sorenson, Isaac McKechnie, Austin Lowes

Absent: Darcy Morrow

**Moved by Director Sorenson, supported by Director Causley-Smith, to excuse Director Morrow.**

**Motion carries unanimously.**

**Moved by Director LaPlaunt, supported by Director McRorie, to approve the agenda as read.**

**Motion carries unanimously.**

**Without objection, the motion by Director Sorenson, supported by Director McRorie, to move the September 5, 2023 board of directors meeting from Sault Ste. Marie to St. Ignace, Michigan, is hereby approved.**

**No objections.**

**Moved by Director McKerchie, supported by Director LaPlaunt, to approve Resolution 2023-247, FY 2024 – Schedule B Budget Document 002 (No Health Division).**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2024 Schedule B Budget Document 002 totaling \$12,209,069 of which \$1,457,546 comes from Tribal Support.

**Roll Call Vote: Motion carries unanimously.**

**Moved by Director McKechnie, supported by Director McRorie, to approve Resolution 2023-248, Interns FY 2023 Budget Modification and JKL School Fiduciary FY 2024 Budget Modification.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to the Interns budget. This budget modification will change the personnel page and include a wage reimbursement from JKL School Fiduciary of \$7,716.84. No effect on Tribal Support.

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2024 budget modification to JKL School Fiduciary for a wage reimbursement to Interns budget of \$7,716.84. No effect on Tribal Support.

**Motion carries unanimously.**

**Moved by Director McKechnie, supported by Director Freiheit, to approve Resolution 2023-249, Prosecution FY 2023 Budget Modification.**

BE IT RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the FY 2023 budget modification to Prosecution for an increase in Federal BIA Revenue monies of \$9,822.33 and to make changes to the personnel sheet. No effect on Tribal Support.

**Motion carries unanimously.**

**Moved by Director Freiheit, supported by Director McKechnie, to approve Resolution 2023-250, Amending Resolution No. 2022-72 ARPA Fund Appropriation – Unit 1 Elder Housing.**

NOW, THEREFORE, BE IT RESOLVED, that the Sault Tribe Board of Directors Sault Ste. Marie Tribe of Chippewa Indians hereby amends Resolution 2022-72 by reducing the original five million (\$5,000,000.00) appropriation to three and half million (\$3,500,000.00) for Unit 1 Elder Housing unit construction.

BE IT FURTHER RESOLVED, that the Sault Tribe Board of Directors authorizes the construction of the Unit 1 Elder Housing units to include all necessary and appropriate actions, includes budgeting allocations for external construction management services as authorized by the Chief Financial Officer, for completion of the project.

BE IT FURTHER RESOLVED, that the Sault Tribe Board of Directors authorizes the Tribe's Purchasing Department to create and execute the bidding process in collaboration with external construction management services, for the hiring of an external contractor(s) to construct the Unit 1 Elder Housing units based upon the Sault Tribe Housing Authority's Quad and Triplex building plans and designs.

BE IT FURTHER RESOLVED, that after the completion of the construction of the Unit 1 Elder Housing units, the Board of Directors authorizes and directs the Sault Tribe Housing Director to oversee, manage and operate the Unit 1 Elder Housing units, including all associated buildings and inventory.

BE IT FURTHER RESOLVED, that the terms of the Resolution hereby amends Resolution No. 2022-72.

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Tribal Chairman, or his designee, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions and intent of this Resolution and authorizes all internal administrative budget modifications from the authorized budgeted funding.

**Roll Call Vote: Motion carries with Directors' Lee, Freiheit, Borowicz, McRorie, Causley-Smith, Hampton, LaPlaunt, Sorenson, McKechnie approving; Director McKerchie opposing.**

**Moved by Director Freiheit, supported by Director McKechnie, to approve Resolution 2023-251, Increase ARPA Fund Appropriation – Unit 1 Affordable Housing Odenaang Homes Tribal Enterprise.**

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby amends Resolution 2022-72 by reducing the original five million (\$5,000,000.00) appropriation to three and half million (\$3,500,000.00) for Unit 1 Elder Housing unit construction; and

BE IT FURTHER RESOLVED, that the Sault Tribe Board of Directors increases the eleven-million-dollar (\$11,000,000) appropriation to twelve and half million dollars (\$12,500,000) for completion of the project; and

BE IT FURTHER RESOLVED, that the Sault Tribe Board of Directors authorizes the Sault Tribe Housing Authority Director to administratively establish a budget for the Odenaang Homes Tribal Enterprise Affordable Housing Development; and

BE IT FURTHER RESOLVED, that the terms of the Resolution hereby amend Resolution No. 2023-24; and

BE IT FINALLY RESOLVED, that the Sault Tribe Board of Directors hereby authorizes and approves the Tribal Chairman, or his designee, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions and intent of this Resolution and authorizes all internal administrative budget modifications from the authorized budgeted funding.

**Roll Call Vote: Motion carries with Directors' Sorenson, LaPlaunt, McKechnie, Borowicz, Lee, Hampton, McRorie, Causley-Smith, Freiheit approving; Director McKerchie opposing.**

**Moved by Director McKechnie, supported by Director Freiheit, to approve Resolution 2023-252, Odenaang Homes Tribal Enterprise Award Contract – Nomad Construction – Odenaang Utility Project #23-060.**

NOW, THEREFORE, BE IT RESOLVED, any approved contract change order requiring a budget modification can be modified by the Housing Director and approved by the CFO and will not require a resolution to modify the existing approved budget; and

BE IT FINALLY RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby authorize the Tribal Chairman or his designee, to negotiate, execute and amend any documents resulting therefrom on the Tribe's behalf on a contract between the Sault Ste. Marie Tribe of Chippewa Indians and Nomad Construction for construction services including any potential change orders that may become necessary in the course of construction work and authorizes expenditures from Odenaang Homes Tribal Enterprise funds - Cost Center # 8090.

**Roll Call Vote: Motion carries unanimously.**

**Moved by Director Freiheit, supported by Director McKechnie, to approve Resolution 2023-253, ARPA Funded Home Replacement Program Plan.**

NOW, THEREFORE, BE IT RESOLVED, that the Sault Tribe Board of Directors approves the attached Odenaang Homes Tribal Enterprise – Home Replacement Program as presented; and

BE IT FURTHER RESOLVED, that the Sault Tribe Board of Directors hereby authorizes and approves the Sault Tribe Housing Authority Director, or their designee, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions and intent of this Resolution.

**Roll Call Vote: Motion carries unanimously.**

**Moved by Director Freiheit, supported by Director McKechnie, to approve Resolution 2023-254, FY2023 Indian Housing Block Grant (IHBG) Indian Housing Plan (IHP) – Amendment.**

NOW, THEREFORE, BE IT RESOLVED, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors approves the 2023 Indian Housing Plan Amendment, Grant No. 55-IH-26-5480, as presented and does hereby request approval from the U. S. Department of Housing and Urban Development; and

BE IT FURTHER RESOLVED, the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors and Sault Tribe Housing Commission does agree to follow the HUD approved Indian Housing Plan in order to provide housing opportunities.

**Roll Call Vote: Motion carries unanimously.**

**Moved by Director McRorie, supported by Director McKerchie, to approve Resolution 2023-255, Award Electrical Upgrades Contract for the Sault Pow Wow Grounds to J. Ranck Electrical.**

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby approves the Electrical Upgrade Contract with J. Ranck Electrical for the Sault Pow Wow Grounds; and

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the amount of \$430,123.00 from the Building Fund Balance for the Electrical Service Upgrade located at the Sault Pow Wow Grounds; and

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Tribal Chairman, or his designee (Facilities & Operations Manager), to execute any and all documents, including ancillary or supplemental documents or forms that do not change the substantive terms of the agreements and project, as may be necessary and appropriate to carry out the terms, conditions, and intent of this Resolution.

**Roll Call Vote: Motion carries with Directors' Lee, Freiheit, Borowicz, McRorie, Causley-Smith, Hampton, McKerchie, LaPlaunt, Sorenson approving; Director McKechnie abstaining.**

**Moved by Director Sorenson, supported by Director Borowicz, to approve Resolution 2023-256, Award HVAC Replacement Contract for the McCann Building to Albert's Heating & Cooling, Inc.**

NOW, THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians Board of Directors hereby approves the HVAC Replacement Contract with Alberts Heating & Cooling Inc. for the McCann Building; and

BE IT FURTHER RESOLVED, that the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians hereby approves the amount of \$225,000.00 from the Building Fund Balance for the HVAC Upgrade located at the McCann Building; and

BE IT FINALLY RESOLVED, that the Board of Directors hereby authorizes and approves the Tribal Chairman, or his designee (Facilities & Operations Manager), to execute any and all documents, including ancillary or supplemental documents or forms that do not change the substantive terms of the agreements and project, as may be necessary and appropriate to carry out the terms, conditions, and intent of this Resolution.

**Roll Call Vote: Motion carries unanimously.**

**Moved by Director Freiheit, supported by Director LaPlaunt, to approve Resolution 2023-257, Amending Chapter 21: Elk.**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby amends Tribal Code Chapter 21: Hunting and Inland Fishing as follows:

**21.706 Elk.**

- (1) The Conservation Committee shall establish the number of and duration of the seasons if there is to be more than one season per year.
- (2) The hunting of elk shall be authorized by a permit.
  - (a) A Tribal member shall not hunt elk without having on their person a valid elk permit.

(b) The number of elk permits available for each season's hunt shall be determined by the Department.

(c) Elk permits shall be distributed in accordance with a lottery system administrated by the Committee. The Committee shall establish an application period and a date certain upon which drawing results shall be posted. These dates may be adjusted from time to time as the Committee deems necessary.

(d) The Committee may authorize the transfer of an issued permit to another Tribal member.

(e) The Committee shall restrict the use of a permit to stated geographic boundaries.

(f) No Tribal member shall engage in hunting for elk outside the geographic area designated on the permit.

(3) Permit holders shall be required to attend a mandatory elk hunting orientation session. Failure to attend shall result in that Tribal member's permit being voided and reissued by the Department. Any biological or harvest reporting data required of the Tribal member at the orientation shall be a condition of the permit.

(4) Rifles must be at least a 24-caliber coupled with an 85-grain bullet or greater and must exert at least 1000 lbs. of energy at 100 yards.

(5) Hand guns must have a minimum barrel of four (4") inches, be of 24 caliber or larger and have 550 ft. lbs. energy at 50 yards.

(6) Tribal members shall not use food material to attract elk for the purpose of aiding their elk hunting efforts.

(7) Any Tribal member who draws an elk tag pursuant to these regulations shall be prohibited from entering the elk tag lottery.

**Motion carries with Director McRorie opposing.**

**Moved by Director LaPlaunt, supported by Director Freiheit, to approve Resolution 2023-258, Amending Chapter 21: Tribally Affiliated Lands and Waters.**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby amends Tribal Code Chapter 21: Hunting and Inland Fishing as follows:

21.204 Tribally Affiliated Lands and Waters

(1) Tribal members may hunt, fish, trap, or gather on Tribally owned lands and waters in accordance with the following.

(a) There shall be no hunting with a firearm within any city limits.

(b) There shall be no hunting, fishing, trapping, or gathering on land that is posted as no trespassing or no hunting.

(c) There shall be no hunting, fishing, trapping, or gathering upon any land that has within its exterior border a fish-rearing pond.

(d) Tribal members hunting on tribal lands deemed to require designated entry points shall use those designated entry points and follow any posted instructions.

(e) Tribal members may not hunt within 450 feet of a structure or designated recreation trail.

(2) Tribal members engaging in any activity requiring a permit under Tribal Code must have the permit for that activity, including but not limited to the following:

(a) Maple, birch, or other live tree sap.

(b) Fur trapping

- (c) Birch, cedar, or other live tree bark
- (d) Tribal Lands Harvest Permits will be issued following a lottery procedure implemented by Natural Resources Department, if needed.
- (3) Tribal members may hunt, fish, trap, or gather on lands and waters owned by a Tribal member or the spouse of a Tribal member pursuant to this Chapter.
- (4) Tribal members may hunt, fish, trap, or gather on lands and waters owned by another tribe and shall be subject to that tribe's conservation laws and jurisdiction.

**Motion carries unanimously.**

**Moved by Director Freiheit, supported by Director LaPlaunt, to approve Resolution 2023-259, Amending Chapter 21: Type D Lakes.**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby amends Tribal Code Chapter 21: Hunting and Inland Fishing as follows:

**21.909 Special Restrictions for Trout Ponds.**

- (1) No Tribal member shall fish in trout ponds (type "D" lakes) without complying with the restrictions set forth in this Section.
  - (a) Possession of brown trout, brook trout, lake trout, rainbow trout (steelhead), Coho, Chinook, Pink and Atlantic salmon is prohibited from October 1 through the last Friday in April.
  - (b) Artificial lures only.
  - (c) No Tribal member may use a spear to harvest any type of fish on lakes listed in this Section.
  - (d) No Tribal member may possess live, dead or preserved bait, organic or processed food or scented materials on any of the lakes or banks of the lakes described in this Section.
  - (e) Minimum size limits are:
    - (i) For brook trout, brown trout, rainbow trout (steelhead), splake, lake trout and Atlantic salmon fifteen inches (15").
    - (ii) For Coho, Chinook and pink salmon ten inches (10").
  - (f) Retention of more than one (1) fish species per day is prohibited for lake trout, rainbow trout, splake, brook trout, brown trout, and salmon (all varieties).
- (2) Trout ponds (type "D" lakes) subject to this Section are:
  - (a) In the Upper Peninsula:
    - Luce County: Deer Lake, Moon Lake and Sid Lake.
    - Marquette County: S. Kidney Lake, Pauls Lake (North), Pauls Lake (South), Rockingchair Lake (North), Rockingchair Lake (South), and Strawberry Lake
    - Schoolcraft County: Ned's Lake, and Twilight Lake.

**Motion carries unanimously.**

**Moved by Director Sorenson, supported by Director Borowicz, to approve Resolution 2023-260, Authorizing Analysis Study into Feasibility of Expansion of the Tribe's Service Area.**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby authorizes an analysis study on the feasibility of expanding the Tribe's Seven-County Service Area, to incorporate the Tribe's ceded territory, to increase Sault Tribe member access to the Tribe's Health Services and Membership Services; and

BE IT FURTHER RESOLVED, that this analysis study shall be carried out by the Legal Department in collaboration with the Tribe's Executive Director, and the Tribe's Membership Services agencies; and

BE IT FURTHER RESOLVED, that the initial report of the analysis study shall be submitted for Board of Directors Review within 90 days of the enactment of this Resolution.

**Motion carries unanimously.**

**Moved by Director LaPlaunt, supported by Director Freiheit, to approve Resolution 2023-261, Tribal Roll Opening.**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby opens the Tribal Rolls for all adults who can provide proof of ancestry pursuant to Tribal Code Chapter 11: Membership Ordinance; and

BE IT FURTHER RESOLVED, that the opening of the Tribal Rolls shall be effective on February 1, 2024 and they shall remain open until the Board of Directors closes the rolls, by subsequent resolution, pursuant to Tribal Code Chapter 11.115.

**Roll Call Vote: Motion carries with Directors' Sorenson, LaPlaunt, McKechnie, Borowicz, McKerchie, Lee, Hampton, Freiheit approving; Directors' McRorie, Causley-Smith opposing.**

**Moved by Director McKechnie, supported by Director LaPlaunt, to accept the resignations from the Election Committee of the following individuals, effective immediately:**

1. Katie Leach
2. Kristi Franklin
3. Maureen Sue Pavlat
4. Robert Captain
5. Rose M. Allard
6. Traci Kangas

**And to also declare the additional seats of the following Election Committee members vacant due to term expiration:**

1. Diane Moore
2. Carol Montie
3. Bridget Kuusinen

**Without objection, all actions handled together. No objections.**

**Motion carries unanimously.**

**Moved by Director McKechnie, supported by Director Freiheit, to accept the five voluntary relinquishments:**

1. Emma E. LeBlanc
2. Alyssa M. Malloy
3. Brian L. Schwartz, Jr.
4. Taylor J. Willis
5. Isabella K. Portman (No objections to waiving 30-day waiting period)

**Without objection, all actions handled together.  
Motion carries unanimously.**

**Moved by Director Causley-Smith, supported by Director Sorenson, to immediately prepare and send out the 2 recent, valid Referendums.**

**Roll Call Vote: Motion carries with Directors' Sorenson, McKerchie, Causley-Smith, McKechnie, Borowicz, Lee approving; Directors' McRorie, LaPlaunt, Freiheit, Hampton opposing.**

Adjourned at 6:22 p.m.

Date: 8/22/2023 Secretary:   
Kimberly Hampton

Others Present: Aaron Schlehuber, Christine McPherson, Jessica Dumback, Robert Schulte, Elaine Clement, Lona Stewart, Michelle Moore, Josh Elliot, Jen Clerc, Clarence Hudak, Dennis McShane, Joni Talentino, Andrew Lane